

fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each such ingredient. Further misbranding, Section 403 (a), the statement "Sorghum" appearing on the label of a portion of the article was false and misleading since it represented and suggested that the article consisted entirely of sorghum, whereas it consisted of a mixture of sorghum, corn sirup, and sugar; and Section 403 (e) (1) and (2), a portion of the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents.

DISPOSITION: September 21, 1953. The defendant having entered a plea of guilty, the court fined him \$50.

20404. Adulteration and misbranding of sorghum sirup. U. S. v. 11 Cases * * *.
(F. D. C. No. 34784. Sample No. 19807-L.)

LIBEL FILED: March 31, 1953, District of Minnesota.

ALLEGED SHIPMENT: On or about February 18, 1953, by Roy McClain, from Joplin, Mo.

PRODUCT: 11 cases, each containing 12 1-quart, 13-ounce cans, of sorghum sirup at Albert Lea, Minn.

LABEL, IN PART: (Can) "Country Sorghum Made by W. W. Dollar & Sons Rural Route 1 Rogers, Ark."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of glucose and sorghum had been substituted in whole or in part for sorghum.

Misbranding, Section 403 (a), the label designation "Sorghum" was false and misleading as applied to a mixture of glucose and sorghum.

DISPOSITION: May 22, 1953. Default decree of condemnation. The court ordered that the amount of the product actually seized, consisting of 1 case and 10 cans of the product, be turned over to the Food and Drug Administration for disposition.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

20405. Adulteration of bakery products. U. S. v. Fogelson Bros., Inc., and Nathan Fogelson. Pleas of nolo contendere. Each defendant fined \$500. Individual defendant also placed on probation for 6 months.
(F. D. C. No. 34323. Sample Nos. 36744-L to 36750-L, incl., 49452-L.)

INDICTMENT RETURNED: March 24, 1953, District of New Jersey, against Fogelson Bros., Inc., Newton, N. J., and Nathan Fogelson, secretary-treasurer.

ALLEGED SHIPMENT: On or about August 28 and 29, 1952, from the State of New Jersey into the State of New York.

LABEL, IN PART: "Fogelson's White Mountain Bread," "Fogelson's Better Bread," "Fogelson's Better [or "Sandwich"] Rolls," "Fogelson's Danish Coffee Cake," or "Fogelson's Quality Vienna Bread."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in part of filthy substances by reason of the presence of insects, insect fragments, and rodent hairs; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.